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August 3, 2004

Time:

11:46 am
(Minneapolis, Minn.)

TO: Commissioner for Patents
Attn: George R. Evanisko
Patent Examining Corps
Facsimile Center
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Timothy E. Bianchi

OUR REF: 279.080US4

TELEPHONE: 703-308-2612

FAX NUMBER 703-746-4870

* Please deliver to Examiner George R. Evanisko in Art Unit 3762. *

Document(s) Transmitted: A Terminal Disclaimer (3 pgs.) including authorization to charge Deposit Account No. 19-0743 in the amount of \$110.00 to cover the Terminal Disclaimer Fee.

Total pages of this transmission, including cover letter: 4 pgs.

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In re. Patent Application of: David B. Krig et al.

Examiner: George R. Evanisko

Serial No.: 10/008,367

Group Art Unit: 3762

Filed: November 13, 2001

Docket No.: 279.080US4

Title: APPARATUS AND METHOD FOR TREATING VENTRICULAR
TACHYARRHYTHMIAS

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

By:

Name: Timothy E. Bianchi

Reg. No.: 39,610

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Paula Suchy
Paula Suchy

August 3, 2004
Date of Transmission

S/N 10/008,367PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David B. Krig et al.	Examiner:	George R. Evanisko
Serial No.:	10/008,367	Group Art Unit:	3762
Filed:	November 13, 2001	Docket:	279.080US4
Title:	APPARATUS AND METHOD FOR TREATING VENTRICULAR TACHYARRHYTHMIAS		

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Timothy E. Bianchi, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on November 13, 2001. I am making this petition on behalf of Cardiac Pacemakers, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. § 3.73(b)

Your petitioner, Cardiac Pacemakers, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/008,367) and to U.S. Patent Nos. 6,317,632, 6,151,524 and 5,978,707. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for all of these applications. The assignment for U.S. Patent No. 5,978,707 was recorded on October 8, 1997 on Reel 9137, Frames 0953-0957, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/008,367) is a continuation of U.S. Patent No. 6,317,632, which is a continuation of U.S. Patent No. 6,151,524, which is a continuation of 5,978,707.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Cardiac Pacemakers, Inc., seeking to take the action set forth in this disclaimer.

08/04/2004 BDENNY 00000001 190743 10008367

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TERMINAL DISCLAIMER

Serial Number: 10/008,367

Filing Date: November 13, 2001

Title: APPARATUS AND METHOD FOR TREATING VENTRICULAR TACHYARRHYTHMIAS

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6,317,632, 6,151,524, and 5,978,707. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 6,317,632, 6,151,524, and 5,978,707 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,317,632, 6,151,524, and 5,978,707 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

TERMINAL DISCLAIMER

Serial Number: 10/008,367

Filing Date: November 13, 2001

Title: APPARATUS AND METHOD FOR TREATING VENTRICULAR TACHYARRHYTHMIAS

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Fee Status

Please charge Deposit Account No. 19-0743 in the amount of \$110.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DAVID B. KRIG ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH,
P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 373-6912

Date

Aug 3, 2004

By



Timothy E. Bianchi

Reg. No. 39,610

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Paula SuchyAugust 3, 2004
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